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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,544	11/21/2000	Arthur K. Farnsworth	COMP:0132/van P00-3180	1686

7590 01/02/2003
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EXAMINER

WALSH, JOHN B

ART UNIT PAPER NUMBER

3676

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/717,544

Applicant(s)

FARNSWORTH ET AL.

Examiner

John B. Walsh

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-15,17-19 and 25-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4-15, 17-19 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 2,878,389 to Raffman.

Raffman '389 discloses a chassis (23); an access panel (46); a latch member (90) and a catch member (74) biased to a first position on the chassis.

As concerns claims 2, the latch member includes a first engaging portion (figure 7; 91) and a first securing portion (figure 7, 90); the catch member includes a second engaging portion (figure 7; top portion of 78) and a second securing portion (figure 9; bottom portion of 77 engaging 90).

As concerns claim 4, the first engaging portion slidingly engages the second engaging portion and displaces the catch member from the first position (figure 8).

As concerns claim 5, at the closed position the first and second engaging portions are no longer in sliding engagement and the catch member is biased back to the first position (figure 9).

As concerns claim 6, the second securing portion is disposed over the first securing portion when the catch member is in the first position (figure 9).

As concerns claims 7 and 18, the first and second securing portions are flat (figure 7).

As concerns claims 8 and 17, the first and second engaging portions are angled (figure 7).

Art Unit: 3676

As concerns claim 9, the latch member is released from the catch member by displacing the catch member (when 74 is moved to the left in figure 9 the latch member will be released).

As concerns claim 10, the catch member is spring biased (83).

As concerns claim 12, the first and second engaging portions are configured for sliding engagement (figures 7 and 8).

As concerns claim 13, the first and second securing portions are configured for abutment (figure 8).

As concerns claim 14, the access panel (46) is pivoted about a first end to dispose the access panel on the chassis (figure 3; pivoted with hinges 50).

As concerns claim 15, a spring (94) to bias the access panel to an open position (column 5, lines 35-42).

As concerns claim 25, providing a plurality of catch members (77); providing a plurality of manual operators (87) securable to the catch members through an opening (88) in the chassis; providing a chassis (23) having a first and second openings (88); securing one of the plurality of catch members to one of the plurality of manual operators (figure 5) through a first opening; securing a second of the plurality of catch members to a second one of the plurality of manual operators through a second opening (figure 5).

As concerns claim 26, disposing a biasing member (83) within each of the catch members.

As concerns claim 27, aligning each of the catch members with a guide rail (24; figure 8) adapted to extend into each catch member.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to locate the first and second catch members on opposite sidewalls of the

Art Unit: 3676

chassis and the latch members on opposite sides of the panel, since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70.

As concerns claims 11 and 19, Raffman '389 does not explicitly disclose third engaging/third surface portion and securing portion/fourth portion symmetrical with the second engaging and securing portions. However, it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. St. Regis Paper Co. v. Bemis Co., 193 USPQ 8. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide third engaging/third surface portion and securing/fourth surface portion symmetrical with the second engaging and securing portions.

Response to Arguments

3. Applicant's arguments filed October 16, 2002 have been fully considered but they are not persuasive.

The applicant's argument that the locking hooks of Raffman are not disposed on the interior is not persuasive. The locking hooks 77, 74 as seen in figure 3 are interior with respect to an outermost edge of the body (top most portion of 23 in figure 3).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 3676

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 703-305-0444. The examiner can normally be reached on Monday-Friday from 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9325.

Anthony Knight
Supervisory Patent Examiner
Technology Center 3670

JW
December 30, 2002



TERI PHAM LUU
PRIMARY EXAMINER